

## **PUBLIC HEARING NOTICE**

The Department of Environmental Quality (DEQ) will hold a public hearing on behalf of the State Air Pollution Control Board on a proposed variance to the open burning rule (Article 40 of 9 VAC 5 Chapter 40, Rule 4-40). The hearing will be held in the DEQ Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia, at 1:30 p.m. on January 19, 2007, to accept testimony concerning the proposed revision. Using the procedures explained below, the department will also accept written comments.

The proposal consists of a variance from existing regulation provisions for the control of emissions of volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) to the atmosphere from open burning conducted in the affected localities. The variance will temporarily relieve the affected localities from immediate compliance with the seasonal restrictions in 9 VAC 5-40-5630 A 8 and 10 of the open burning rule by requiring a phased-in compliance. Estimated local impact as a result of this action is expected to be minimal.

The localities particularly affected are the County of Gloucester and the County of Isle of Wight.

The DEQ accepts written comments by e-mail, facsimile transmission and postal mail. In order to be considered, written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5:00 p.m., February 5, 2007. Comments must be submitted to the DEQ contact named below. Due to problems with the quality of facsimile transmissions, commenters are encouraged to provide the signed original by postal mail within one week. Both oral and written comments are accepted at the public hearing. DEQ prefers that comments be provided in writing, along with any supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

The proposal and agency background document are available on the Town Hall web site ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and the DEQ Air Public Notices for Regulations web site (<http://www.deq.virginia.gov/air/permitting/regnotes.htm>). The documents may also be obtained by contacting the DEQ contact named below. The public may review the documents between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period at the following locations: (1) DEQ Main Street Office, 8th Floor, 629 E. Main Street, Richmond, Virginia, (804) 698-4070, and (2) the Tidewater Regional Office, Department of Environmental Quality, 5636 Southern Boulevard, Virginia Beach, Virginia, (757) 518-2000.

The DEQ contact for public comments, document requests and additional information is Doris A. McLeod, Air Quality Planner, Air Quality Planning Programs, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia (phone (804) 698-4197, fax (804) 698-4510, email [damcleod@deq.virginia.gov](mailto:damcleod@deq.virginia.gov)).